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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,888	08/26/2003	Hitoshi Ueda	03514/LH	7834
1933	7590	11/16/2005	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC 220 5TH AVE FL 16 NEW YORK, NY 10001-7708			PIZIALI, JEFFREY J	
		ART UNIT	PAPER NUMBER	
		2673		

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/649,888	UEDA, HITOSHI
	<b>Examiner</b>	<b>Art Unit</b>
	Jeff Piziali	2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 26 August 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-12 is/are rejected.

7)  Claim(s) 1 and 3 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 24 November 2003 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a))

\* See the attached detailed Office action for a list of the certified copies not received

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/26/03.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Specification***

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Claim Warnings***

3. Applicant is advised that should claim 4 be found allowable, claim 6 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

***Claim Objections***

4. Claim 1 is objected to because of the following informalities: "select" in line 1 should be changed to "selects." Appropriate correction is required.

5. Claim 3 is objected to because of the following informalities: "the border" in line 3 should be changed to "a border," and "the inside" in line 4 should be changed to "an inside." Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Powers et al (US 5,469,540 A).

Regarding claim 1, Powers discloses a region selection device [Fig. 1; 48] which selects one region [Fig. 25; 310] from among a plurality of regions [Fig. 25; 310, 312, 314] displayed on a display screen [Fig. 1; 68] comprising: coordinate input means [Fig. 1; 42] for inputting coordinate information [Fig. 25; 44] to the display screen; a region table [Fig. 1; 55] which stores attributes of the plurality of regions [i.e. window layer ordering, active window, and inactive window information, for instance]; display means [Fig. 1; 40] for displaying the plurality of regions on the display screen according to the attributes stored in the region table (see Column 6, Line 54 - Column 7, Line 19); and region selection means [Fig. 1; 46] for, when the regions displayed on the display screen lie on top of one another, selecting a predetermined region [i.e. presentation window, for instance] according to priorities corresponding to a feature parameter

[i.e. floating window attribute, for instance] which is at least one of the attributes of the plurality of regions (see Column 12, Line 56 - Column 13, Line 29).

Regarding claim 2, Powers discloses the region table stores information for invalidating [i.e. inactive window, for instance] the editing of a region [Fig. 25; 314] as one of the attributes (see Column 12, Line 56 - Column 13, Line 29).

Regarding claim 3, Powers discloses the region selection means first decides whether or not a border [Fig. 2; 100] of a region is selected and then decides whether an inside [Fig. 2; 104] of the region is selected (see Column 7, Lines 23-52).

Regarding claim 4, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 5, Powers discloses the feature parameter is an area [i.e. a window portion, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 6, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 7, Powers discloses the feature parameter is a perimeter [i.e. a window border, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 8, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 9, Powers discloses the feature parameter is both of an area and a perimeter [i.e. a window border, for instance] of each region (see Fig. 25; Column 12, Line 56 - Column 13, Line 6).

Regarding claim 10, this claim is rejected by the reasoning applied in rejecting claim 2.

Regarding claim 11, this claim is rejected by the reasoning applied in rejecting claim 1; furthermore, Powers discloses a region selecting method wherein the plurality of regions displayed on the display screen are overlapped (see Fig. 25; Column 12, Line 56 - Column 13, Line 29).

Regarding claim 12, this claim is rejected by the reasoning applied in rejecting claims 1 and 11; furthermore, Powers discloses a computer program product configured to store program instructions of selecting one region from among a plurality of regions displayed on a display screen for execution on a computer system enabling the computer system to perform (see Fig. 1; Column 5, Lines 5-51).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Colleran et al (US 6,005,575 A), Odam et al (US 5,825,360 A), Derby et al (US 5,825,359 A), Nakazawa (US 5,590,265 A), Noguchi et al (US 5,179,655 A), Brokenshire (US

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4,875,034 A), Pope (US 4,823,108 A), Tsujido (US 4,769,762 A), Kapur (US 4,700,320 A), Harada (US 4,694,288 A), Marcoux (US 4,670,752 A), and Tabata et al (US 4,574,364 A) are cited to further evidence the state of the art pertaining to region selection devices and methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Piziali whose telephone number is (571) 272-7678. The examiner can normally be reached on Monday - Friday (6:30AM - 3PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (571) 272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



J.P.  
9 November 2005



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